IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 35966 of 2007(F)

PETITIONER:

J.ANILAN,
NIGHT WATCHER, OFFICE OF THE GEOLOGIST,
DISTRICT OFFICE, MINING AND GEOLOGY DEPARTMENT,
KESAVADASAPURAM, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM-695 004.

BY ADV. SRI.S.M.PREM

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY**
   THE SECRETARY TO GOVERNMENT,INDUSTRIES DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE DIRECTOR,**
   MINING AND GEOLOGY DEPARTMENT,
   KESAVADASAPURAM, PATTOM PALACE P.O.,
   THIRUVANANTHAPURAM-695 004.

3. **THE GEOLOGIST,**
   DISTRICT OFFICE OF THE MINING AND GEOLOGY
   DEPARTMENT, KESAVADASAPURAM, PATTOM PALACE P.O.,
   THIRUVANANTHAPURAM-695 004.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C)NO.35966 OF 2007

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Dated this the 6th day of December 2007

JUDGMENT

The petitioner is at present working as a Night Watcher in the office of the third respondent. He aspires for a posting as a Peon in the office of the third respondent. The special rules relating to the last grade servants include a Peon and a Night Watcher under category 2 (k). Therefore the petitioner's request for a posting as a Peon when he is currently working as a Night Watcher is tenable. Learned counsel for the petitioner submits that a vacancy is due to arise on 31.12.2007 in the office of the third respondent as the present incumbent is due to retire on the said date.

2. I have heard the learned counsel for the petitioner and also the learned Government Pleader.

3. In the circumstances, the writ petition is disposed of in the following terms:

1) The petitioner shall immediately submit a representation before the second respondent along with a copy of the writ petition and a copy of this judgment, seeking a posting as a Peon under the third respondent in the vacancy scheduled to arise on 31.12.2007.

Thereupon taking note of the special rules as well, the second respondent shall take a decision thereon without delay, at any rate, before 31.12.2007, after hearing the petitioner.

V.GIRI, JUDGE

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